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August 25, 2003

Ms. Marlene Dortch Office of the Secretary Federal Communications Commission 445 Twelfth Street, S.W. 12<sup>th</sup> Street Lobby - TW - A325 Washington, D.C. 20554

> Re: Petition for Rule Making Binger, Oklahoma

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of a Petition for Rule Making to add Channel 283A at Binger, Oklahoma.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave.

Dallas, Texas 75205

(214) 520-7077 Tele

(214) 443-9308 Fax

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LISTAE OF E MB

# Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of	)			
	)			
Amendment of 73.202 (b)	)	MB	Docket	No.
Table of Allotments	)			
FM Broadcast Stations	)			
(Binger, OK)	)			

To: John Karousos, Assistant Chief Audio Division of the Media Bureau

#### PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 283A at Binger, Oklahoma.

#### DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 283A to Binger, Oklahoma as that community's first local FM service. Binger is an incorporated community with its own zip code and a population of 708 persons. Binger has its own Mayor, Chalkie Opitz, its own fire department, police department, Spencer Davis Chief of Police, post office, city hall and a number of local churches. Binger is a community that is certainly deserving of local FM service. The proposed channel 283A will provide additional diversity and an outlet for local self-expression to Binger residents and therefore is in the public interest.

In order for Channel 283A to be allotted at Binger, Oklahoma, station KMGL Channel 281C in Oklahoma City, Oklahoma will need to be reclassified to a CO. Pursuant to MM Docket 98-93, I am making a formal request for station KMGL in Oklahoma City to be reclassified from a C to a CO. (See, Attachment A, Request to Reclassify statement). Additionally, the reference coordinates for the vacant

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<sup>&</sup>lt;sup>1</sup> U S Census 2000

allotment at Mooreland, Oklahoma, Channel 283C1, will need to be relocated approximately 46.8 kilometers northwest.

Attached hereto is a channel study confirming that Channel 283A can be allocated to Binger, Oklahoma, consistent with the FCC's FM separation rules, provided the changes are made at Oklahoma City and Mooreland, Oklahoma. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

Reference coordinates for Channel 283A at Binger, Oklahoma are:

35 12 52 N 98 20 14 W

Attached hereto is a channel study confirming that the reference coordinates for the vacant allotment at Mooreland, Texas, Channel 283C1, can be relocated 46.8 kilometers northwest consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment C)

The new reference coordinates for Channel 283C1, the vacant allotment at Mooreland, Oklahoma are:

36 46 00 N 99 32 00 W

Should this petition be granted and Channel 283A be allotted to Binger, Oklahoma, Petitioner will apply for Channel 283A at Binger and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205

(214) 520-7077

Tele Fax

(214) 443-9308

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

## Attachment A

Charles Crawford 4553 Bordeaux Ave Dallas, Texas 75205

Petition for Rule Making FM Channel 283A Binger, Oklahoma August 25, 2003

#### Attachment A

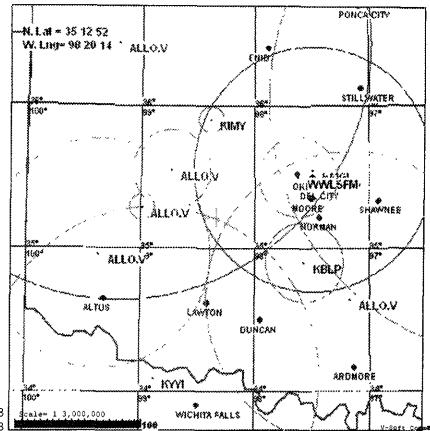
Request to Reclassify
Station KMGL(FM), Oklahoma City, Oklahoma
Pursuant to MM Docket 98-93

Radio Station KMGL(FM), Oklahoma City, Oklahoma is licensed to Renda Broadcsting Corporation of Nevada, 900 Parish St, 4<sup>th</sup> Floor, Pittsburgh, PA 15220, (Facility ID 55708), FCC File No BLH 19820830AH The facility operates with a power of 100 kilowatts with center of radiation 415 meters height above average terrain The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here Charles Crawford respectfully requests that the license of Radio Station KMGL (FM) be modified to specify operation on FM Channel 281C0 instead of on FM Channel 281C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here

Charles Crawford, the proponent of Channel 283A at Binger, Oklahoma in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KMGL (FM) as a Class C0 facility Charles Crawford certifies that no alternative channel is available for the service he proposes at Binger, Oklahoma as is proposed in the Petition for Rule Making A copy of this Petition for Rule Making is being served on Renda Broadcasting Corporation of Nevada, as is required in the above Docket

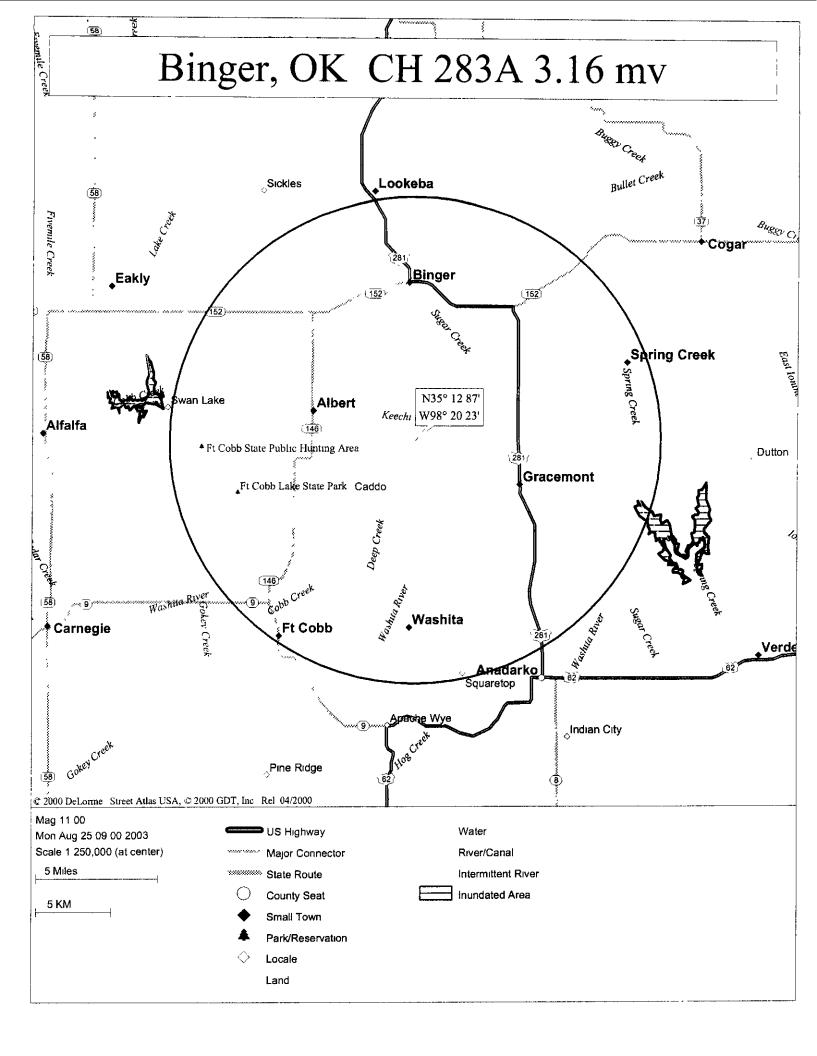
Charles Crawford

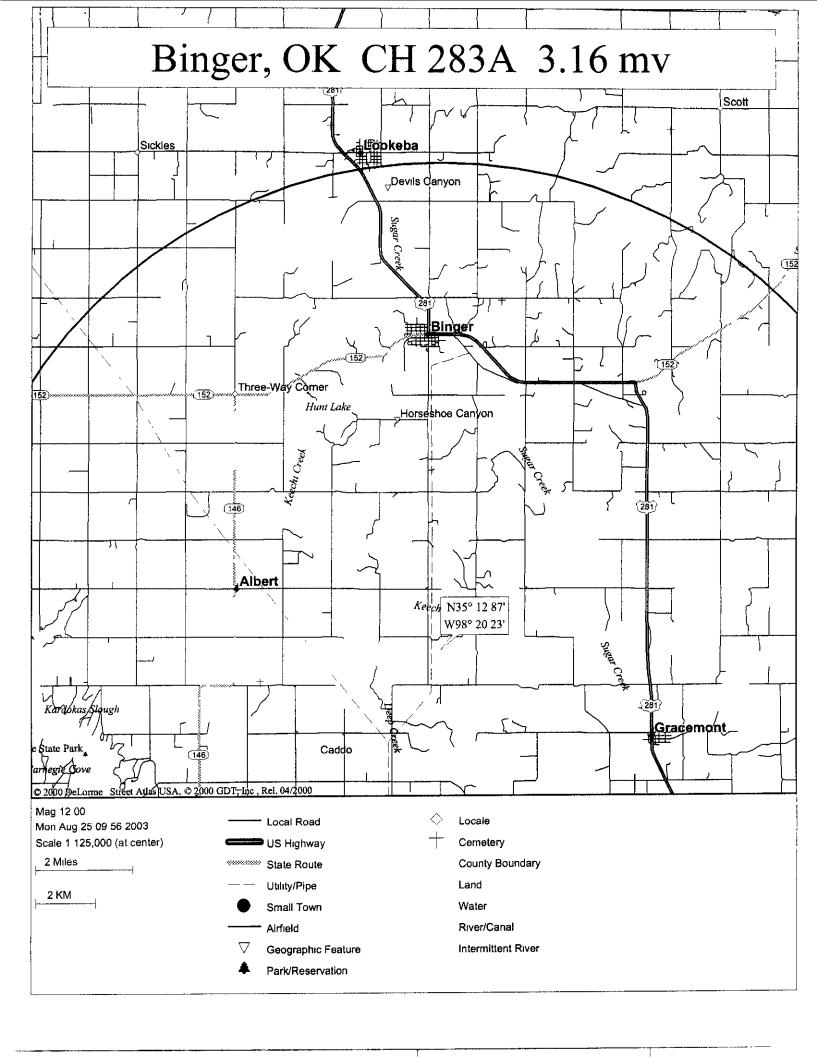
## Attachment B



Dates: Data:08-20-03 Job:08-25-03

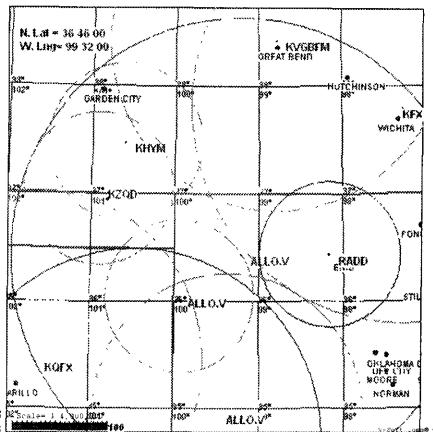
Call	CH#	Туре	Location		D~KM	Azi	FCC	Margin
ALLO.V	283C1	VAC	Mooreland	OK	156.81	330.4	200.0	-43.19
KMGL	281C*	LIC	Oklahoma City	OK	85.61	63.9	95.0	-9.39
KYYI	284C1	LIC	Burkburnett	TX	133.95	201.8	133.0	0.95
ALLO.V	282C3	VAC	Granite	OK	98.02	253.5	89.0	9.02
ALLO.V	283A	VAC	Wynnewood	OK	124.21	120.4	115.0	9.21
ALLO.V	286A	VAC	Weatherford	OK	51.81	316.3	31.0	20.81
WWLSFM	285A	LIC	Bethany	OK	72.42	63.9	31.0	41.42
KBLP	286A	LIC	Lindsay	OK	78.55	116.2	31.0	47.55
ALLO.V	229A	VAC	Cordell	OK	60.01	278.2	10.0	50.01
KMYZFM	283C1	LIC	Pryor	OK	258.75	68.9	200.0	58.75
KIMY	230A	LIC	Watonga	OK	76.71	356.7	10.0	66.71





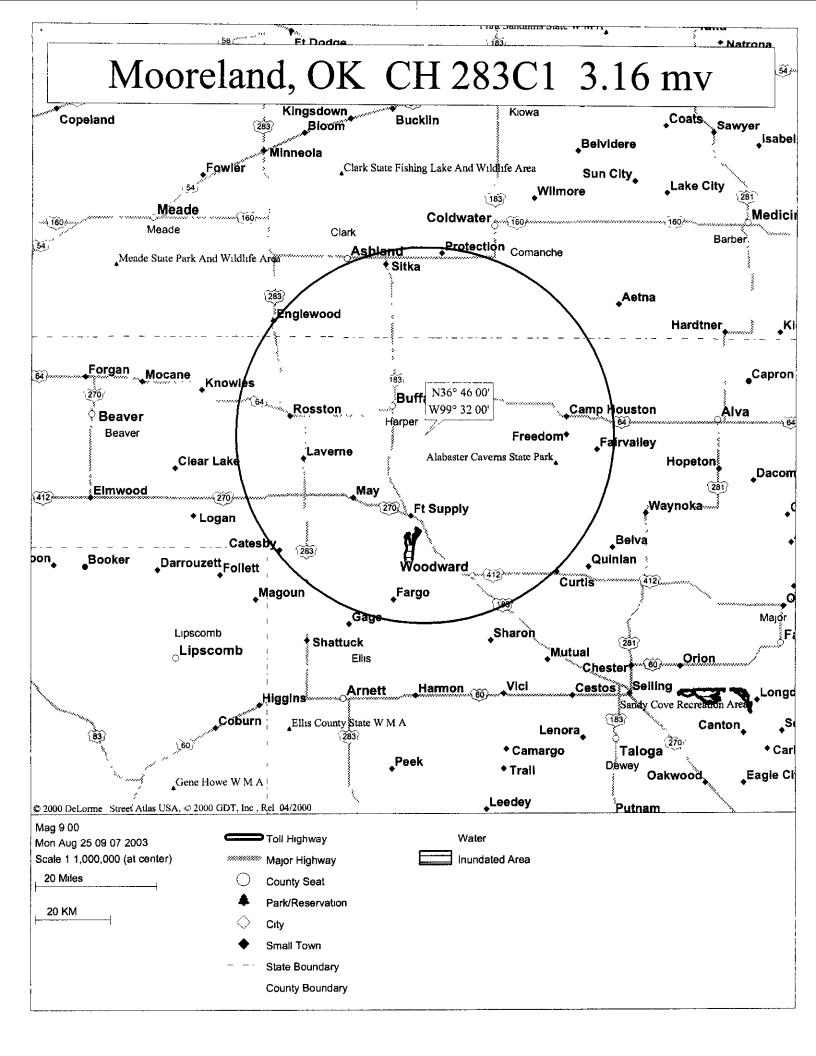
## Attachment C

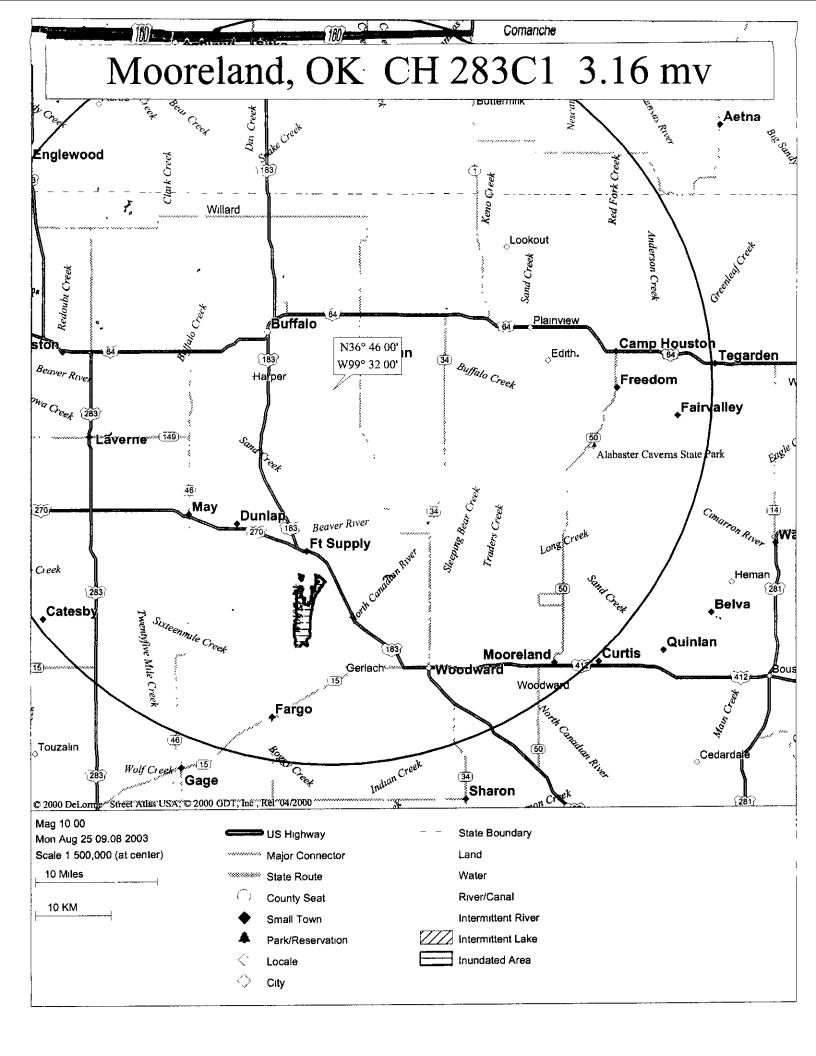
### FM PROSP(TM)LOCATE STUDY CH 283 C1 104.5 MHz

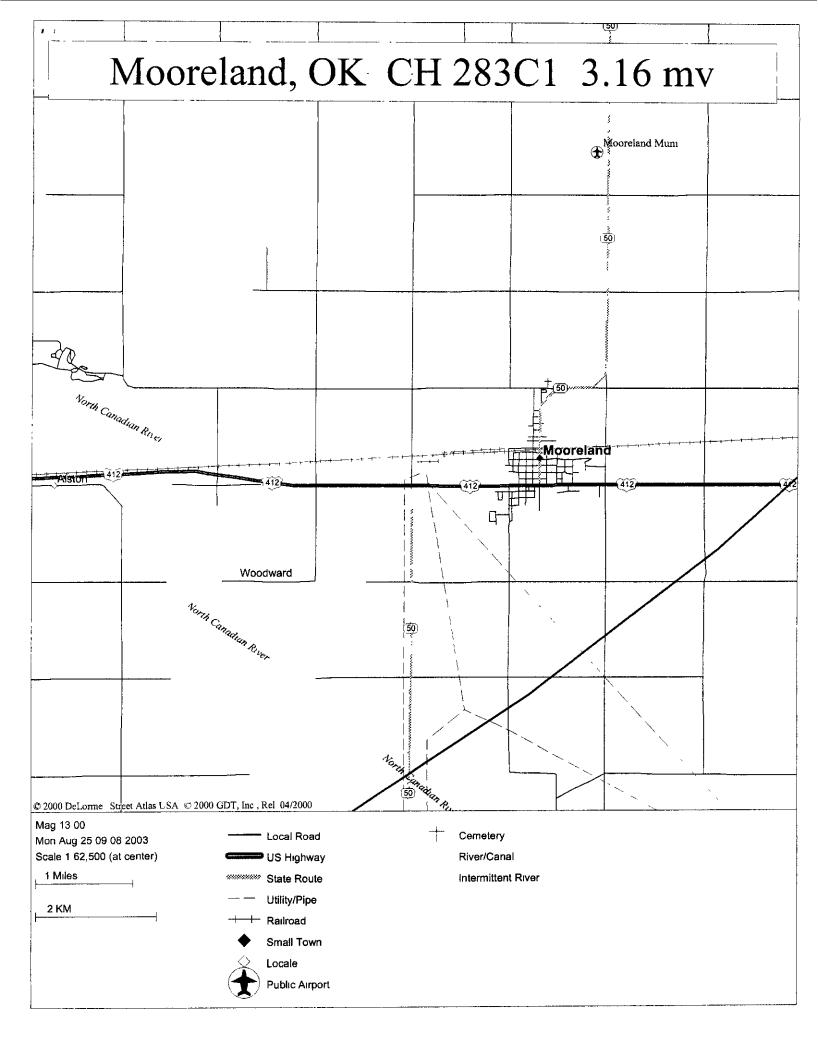


Dates:
Data:08-20-03 | Scale= 1 4 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |

Call	CH#	Type	Location	. <b></b>	D-KM	Azi	FCC	Margın
ALLO.V	283C1	VAC	Mooreland	OK	46.80	141.1	245.0	-198.20
KFXJ	283C2	LIC-Z	Augusta	KS	231.74	59.4	224.0	7.74
ALLO.V	285C2	VAC	Arnett	OK	87.89	204.5	79.0	8.89
KVGBFM	282C1	LIC	Great Bend	KS	196.65	19.7	177.0	19.65
KHYM	280C1	LIC	Copeland	KS	123.23	310.2	82.0	41.23
RADD	283A	ADD	Memphis	TX	245.20	200.0	200.0	45.20
KZQD	286C2	LIC	Liberal	KS	126.55	284.8	79.0	47.55
RADD	285A	ADD	Ringwood	ΟK	128.33	106.2	75.0	53.33
ALLO.V	282C3	VAC	Granite	OK	200.96	175.7	144.0	56.96
KQFX	282C1	LIC	Borger	XT	239.17	232.0	177.0	62.17







#### CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 25<sup>th</sup> day of August, 2003, I caused copies of the foregoing "Petition for Rule making for Binger, Oklahoma" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
12<sup>th</sup> Street Lobby-TW-A325
Washington, D.C. 20554

Gene Bechtel, Esq.
Law Offices of Gene Bechtel, P.C.
1050 17<sup>th</sup> Street, N.W., Suite 600
Washington, D.C. 20036-5517
(Counsel for Petitioner)

Renda Broadcasting Corporation of Nevada Station KMGL 900 Parish St., 4<sup>th</sup> Floor Pittsburgh, PA 15220

Charles Crawford